

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DIRK KLINKE,)	3:12-cv-00032-RCJ-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	October 11, 2013
ROBERT BANNISTER, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's Emergency Motion for Order. (Doc. # 55.) Plaintiff seeks an order directing Defendants to submit Plaintiff's medical records related to the injuries, treatment and classification of his jaw injuries under seal for the court's *in camera* review in connection with the hearing on Plaintiff's motion for temporary restraining order and preliminary injunction set for October 22, 2013.

The court has reviewed Plaintiff's emergency motion (Doc. # 55) as well as the underlying motion for temporary restraining order and preliminary injunction (Docs. # 52, # 53) and Defendants' response (Doc. # 56). Plaintiff's complaint alleges that Defendants violated the Eighth Amendment when they allowed Plaintiff to be supervised by another inmate who did not allow Plaintiff water or rest, which resulted in his blacking out, falling down, and breaking his jaw. (*See* Docs. # 7, # 9.) Plaintiff underwent various procedures to fix his jaw. He avers that defendants Craspay, Donnelly and Baze were deliberately indifferent to his safety and defendants Remsen, Peery, Snider, Bannister, Mar and Johns were deliberately indifferent to a serious medical need arising out of the incident. He also alleges that defendants Palmer and LeGrand are liable as supervisors, asserting that the injury would not have occurred had the inmate been properly supervised.

In his motion for injunctive relief he asserts that he has been told he must undergo a third surgery and treatment, but has been informed that he will be transferred to another institution even though his treatment has not been completed. Plaintiff also asserts that he is not being given medication prescribed for his condition, and is in constant pain. He claims that a transfer to another facility will result in irreparable harm because they cannot provide him with appropriate treatment.

By: /s/
Deputy Clerk